

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: MIDAMERICAN ENERGY COMPANY	DOCKET NO. WRU-02-12-156 (EEP-95-3)
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ORDER GRANTING WAIVER

(Issued April 12, 2002)

On March 28, 2002, MidAmerican Energy Company (MidAmerican) filed with the Utilities Board (Board) a request for limited waiver of 199 IAC 35.6(4)"a"(2) for calendar year 2002 and until a new energy efficiency plan goes into effect. This rule provides that an energy efficiency plan modification must be filed in the event expenditures for a customer class vary from the budgeted amount by more than 10 percent. MidAmerican asks the rule be waived only for residential class spending for calendar year 2002 and for any period until a new energy efficiency plan goes into effect. Waiver of the rule would allow MidAmerican to exceed budgeted energy efficiency spending for the residential class by more than 10 percent. MidAmerican in its request stated it consulted with the Consumer Advocate Division of the Department of Justice (Consumer Advocate) and Consumer Advocate advised it has no objection to the waiver.

In support of its request, MidAmerican said that to keep spending for the residential class within budget limits, two popular programs, the residential home

audit program and new construction program, would have to be cut significantly. MidAmerican states grant of the waiver will allow MidAmerican energy efficiency personnel to focus their time and resources on fulfilling customer requests for program information and participation, preparing a new plan, and collaborating with stakeholders, rather than on preparing a plan modification filing.

The Board will grant the waiver request. Energy efficiency programs offer customers an opportunity to reduce their energy bills. Diverting MidAmerican's resources from implementing its current plan and developing a new plan would create a hardship both for MidAmerican and its customers. Granting the waiver will accommodate the increased residential participation levels and will not prejudice the substantial legal rights of any person.

IT IS THEREFORE ORDERED:

The request for waiver filed by MidAmerican Energy Company on March 28, 2002, is granted.

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Sharon Mayer
Executive Secretary, Assistant to

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 12th day of April, 2002.